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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

AUDREY IDA JANE FRUEAN,)	CIVIL NO. 1:21-cv-00406-SKO (SS)
Plaintiff,)	
v.)	STIPULATION TO VOLUNTARY
KILOLO KIJAKAZI ¹ ,)	REMAND PURSUANT TO SENTENCE
Acting Commissioner of Social Security,)	FOUR OF 42 U.S.C. § 405(g) AND TO
Defendant.)	ENTRY OF JUDGMENT; [PROPOSED]
)	ORDER
)	(Doc. 21)

IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys, and with the approval of the Court, that this action be remanded for further administrative action pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four. On remand, the Appeals Council will remand the case to an

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 administrative law judge (ALJ) for a new decision. The parties further request that the Court
2 direct the Clerk of the Court to enter a final judgment in favor of Plaintiff, and against
3 Defendant, reversing the final decision of the Acting Commissioner.

4 Respectfully submitted this 5th day of November 2021.

5 Dated: November 5, 2021

6 /s/ Dolly Marlo Trompeter*

7 DOLLY MARLO TROMPETER

8 Attorney for Plaintiff

*Authorized via e-mail on November 4, 2021

9 PHILLIP A. TALBERT

10 Acting United States Attorney

11 WILLY LE

12 Acting Regional Chief Counsel, Region X

Social Security Administration

13 By: /s/ Justin L. Martin

14 JUSTIN L. MARTIN

15 Special Assistant United States Attorney

16 Attorneys for Defendant

17 **ORDER**

18 Based upon the parties' stipulation to Voluntary Remand Pursuant to Sentence Four of 42
19 U.S.C. § 405(g) and to Entry of Judgment (the "Stipulation") (Doc. 21), and for cause shown,

20 IT IS ORDERED that the above-captioned action is remanded to the Acting
21 Commissioner of Social Security for further proceedings pursuant to the Social Security Act §
22 205(g), as amended, 42 U.S.C. § 405(g), sentence four. On remand, the Appeals Council will
23 remand the case to an administrative law judge for a new decision in accordance with the parties'
24 Stipulation.

25 The Clerk of Court is hereby DIRECTED to: (1) enter judgment in favor of Plaintiff
26 Audrey Ida Jane Fruean and against Defendant Kilolo Kijakazi, Acting Commissioner of Social
27 Security; and (2) administratively close this file.

28 IT IS SO ORDERED.

1 Dated: **November 5, 2021**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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